



**UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/455,479	06/02/95	BELGARD	R RAB-95-001

PETER COURTURE
LAW+ 993 HIGHLAND CIRCLE
LOS ALTOS CA 94024

26M2/0912

EXAMINER	
NGUYEN, T	
ART UNIT	PAPER NUMBER
2309	13

DATE MAILED: 09/12/97

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

< see Attached Notice of Allowance >

Notice of AllowabilityApplication No.
08/458,479Applicant(s)
Belgard, RichardExaminer
Than NguyenGroup Art Unit
2309

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to 8/7/97.

☒ The allowed claim(s) is/are 10-17, 21-24, ^{25, 27-33}~~26-33~~, and 35-37.

☒ The drawings filed on Aug 7, 1997 are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____.

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 11

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

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Part III DETAILED ACTION

Response to Amendment

1. Acknowledgment is made of the amendment, filed 8/7/97, which is made of record.
2. Claims 1-37 are presented for examination. Claims 1-9,18-20,26,34 are canceled.
3. Applicant's amendment to the claims overcomes the claim rejections under 35 USC 103.

The Examiner withdraws the rejections to the claims.

Information Disclosure Statement

4. The information disclosure statement filed 8/7/97 fails to comply with 37 CFR 1.97(d) because it lacks a petition requesting consideration of the information disclosure statement, the petition fee set forth in 37 CFR 1.17(I), and a certification as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered.

Allowable Subject Matter

5. Claims 10-17,21-24,26-33,35-37 are allowed for reasons stated in the previous Office Action, filed 6/6/97.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Than Nguyen whose telephone number is (703) 305-3866.

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7. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Than Nguyen
September 2, 1997

Robert W. Downs

**ROBERT W. DOWNS
PRIMARY EXAMINER
GROUP 2300**